

**ELECTION DAY VOTER REGISTRATION.  
VOTER FRAUD PENALTIES. INITIATIVE STATUTE.**



## OFFICIAL TITLE AND SUMMARY

*Prepared by the Attorney General*

**ELECTION DAY VOTER REGISTRATION.  
VOTER FRAUD PENALTIES. INITIATIVE STATUTE.**

- Allows persons who are legally eligible to vote and have valid identification to register to vote on election day at their polling place.
- Increases criminal penalty for voter and voter registration fraud.
- Criminalizes conspiracy to commit voter fraud.
- Requires trained staff at polling places to manage election day registration, creates fund to implement measure, including training and providing personnel for election day registration.
- Allows persons to register or reregister during 28 days preceding election day at local election offices.
- Provides more time to county election officials to prepare voter registration lists.

**SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT  
FISCAL IMPACT:**

- Annual state costs of about \$6 million to fund counties for election day voter registration activities, thereby resulting in no anticipated net county cost.
- Minor state administrative costs and unknown, but probably minor, state costs to enforce a new election fraud offense.

## ANALYSIS BY THE LEGISLATIVE ANALYST

### BACKGROUND

Under current law, Californians who want to vote in an upcoming election must register with county elections officials by the 15th day before the election.

### PROPOSAL

**Election Day Registration.** This measure allows eligible citizens, upon presenting proof of current residence, to register up to and including election day. Under the measure, citizens registering on or after the 28th day before an election must do so at the county elections office, or at a polling place on election day. Local elections officials must provide a separate area and at least one trained staff member at each polling place for election day voter registration. Additionally, the Secretary of State must include information about election day voter registration as part of all voter education efforts.

**Election Day Registration Fund.** This measure establishes the “Election Day Registration Fund” within the State Treasury. Each year, approximately \$6 million would be deposited into this fund from the state’s General Fund and distributed to counties for their costs

of election day voter registration including hiring and training additional personnel, providing voter registration materials, and expanding voter outreach programs. Counties receiving money from the fund would be required to submit an annual report identifying their expenditures.

**Increased Penalties for Voter Fraud.** This measure increases the penalties for fraudulent registration or voting activity. It also creates a new crime of conspiracy of two or more people who commit specified election fraud, punishable by imprisonment in state prison.

### FISCAL EFFECTS

This measure annually appropriates \$6 million (adjusted for cost-of-living increases) from the state’s General Fund for the county costs of election day voter registration activities. As a result, no net costs to counties are anticipated.

The Secretary of State would incur minor costs to carry out the requirements of this measure. The state also would incur, unknown, but probably minor, criminal justice costs for individuals who commit a newly established election fraud offense.

## ARGUMENT IN FAVOR OF PROPOSITION 52

### PROP 52 PROTECTS YOUR RIGHT TO VOTE AND PROTECTS AGAINST VOTER FRAUD.

Every California citizen who is legally eligible should be able to vote on election day. Anyone who tries to vote illegally should be stopped and prosecuted.

Presently, California law makes it nearly impossible for some citizens to vote—and too easy for others to commit voter fraud.

Prop 52 ensures that every eligible citizen has the opportunity to vote, and increases penalties for voter fraud.

Prop 52 will:

- Give all legally eligible citizens the right to vote on election day.
- Allow legally eligible citizens to register and vote on election day only with a valid California driver's license or two required forms of identification proving they are California residents voting at the right polling place.
- Double the penalties for voting illegally or for voter fraud.
- Provide training to election day poll workers on processing voter registrations and preventing voter fraud.

### PROP 52 PREVENTS VOTER FRAUD.

Under current state law, there's no requirement to show identification when registering to vote. Voter fraud laws are too weak and need to be strengthened.

Currently county elections officials aren't required to report voter fraud to law enforcement officials.

The existing system has loopholes that have even allowed pets to be registered as voters!

Vote Yes on 52.

Prop 52 protects against voter fraud by:

- Making conspiracy to commit voter fraud a felony, punishable by a long jail sentence.
- Requiring county elections officials to report fraudulent voting activities to the District Attorney.

- Requiring unregistered voters who want to vote on election day to prove they are eligible by showing a valid California driver's license or two required forms of identification proving they are California residents voting at the right polling place.
- Requiring all polling places to clearly display both the rights of voters and the new penalties for voter fraud.

*"Prop 52 will give law enforcement the vital new tools we need to deter and prevent voter fraud."*—Grover Trask, Riverside County District Attorney

### PROP 52 PROTECTS YOUR RIGHT TO VOTE.

Today in the U.S., only 49% of eligible voters vote. For the world's greatest democracy, that's pitiful. We should do everything possible to get more eligible citizens to the polls.

*The League of Women Voters of California, the California Professional Firefighters, and the California Nurses Association have all endorsed Prop 52 because they understand the importance of increasing voter turnout.*

Currently, outdated quirks in state law prevent many eligible citizens from voting on election day. For example, those who turn 18 or move a few weeks before an election could be deprived of the right to vote.

States with laws like Prop 52 lead the nation in voter turnout. The anti-fraud provisions in Prop 52 provide vitally needed new protections against voter fraud.

*"Our study shows that election day registration holds enormous promise. It is an easier way to vote. In California, Prop 52 should produce substantially higher voter turnout."*—Mike Alvarez, Ph.D., Caltech

LEE BACA

*Los Angeles County Sheriff*

MARCH FONG EU

*Former Secretary of State*

## REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 52

*Don't be fooled. Prop. 52 is full of loopholes that corrupt our election process and will lead to widespread voter fraud.*

*That's why Law Enforcement leaders like Contra Costa County District Attorney Gary Yancey, Ventura County District Attorney Mike Bradbury, Shasta County District Attorney McGregor Scott and Santa Barbara County Sheriff Jim Thomas all say NO on 52.*

FACT: Prop. 52 makes it easier for CRIMINALS and NON-CITIZENS to vote. That's not fair to qualified voters who follow the rules.

FACT: Prop. 52 does not require a drivers license or other government identification to register and vote on Election Day. Under Prop. 52, a piece of junk mail is considered one of the valid forms of ID!

FACT: Hidden in the fine print is a change in the law that makes proving FRAUD almost impossible. The authors of Proposition 52 are trying to fool you with talk of tough penalties. Tough penalties mean nothing if it's impossible to prove the crime was committed.

FACT: 44 other states wisely DO NOT ALLOW Election Day registration.

*"Prop. 52 would bilk taxpayers \$6 million yearly for a program that allows dishonest politicians to steal elections."*—Richard Gann, President, Gann Taxpayer Organization

Remember Florida? Don't let it happen here. Other states are moving to tighten their laws against election fraud. Prop. 52 sends California in the opposite direction.

The backers of Prop. 52 are trying to fool you. Don't let them get away with it.

VOTE NO on 52—PROTECT YOUR VOTE.

VOTE NO on 52—STOP ELECTION FRAUD.

HONORABLE ED JAGELS

*District Attorney of Kern County*

ROY BURNS, President

*Association for Los Angeles Deputy Sheriffs*

JILL SCHALL, President

*Women Prosecutors of California*

## ARGUMENT AGAINST PROPOSITION 52

Proposition 52 makes it easier for CRIMINALS, DISHONEST POLITICIANS and NON-CITIZENS to commit ELECTION FRAUD.

That's why District Attorneys, Sheriffs, Cops, and Elections Officials across California urge you to VOTE NO on 52.

Prop. 52 appears well intentioned, until you read the fine print. This poorly drafted measure is full of LOOPHOLES and HIDDEN AGENDAS that will lead to MASSIVE ELECTION FRAUD in California. *It's a classic example of a cure that is worse than the disease.*

PROP. 52 DOES NOT REQUIRE PHOTO IDENTIFICATION. California already has one of the most liberal elections laws in the nation. Registration forms are widely available and county elections officials have only 15 days to check for fraud and prepare voter rolls. But under Prop. 52, a person could register and cast a ballot on Election Day with "identification" that is nothing more than *any* piece of mail addressed to them and a student lease agreement, credit card bill, or other unofficial identification. *No photo ID would be required.*

If Proposition 52 passes, elections officials will have no way of knowing if the person suddenly registering on Election Day is entitled to vote, or, for that matter, even a citizen of the United States. And they will have no time to check the validity of the registration before the ballot is cast.

PROP. 52 MAKES IT VIRTUALLY IMPOSSIBLE TO DETECT FRAUD AND OVERTURN ELECTIONS WON WITH PHONY VOTES. Under Prop. 52, ballots cast by those registering on Election Day will be mixed together with all other ballots. There will be no way for law enforcement and elections officials to go back after Election Day and determine if an election was won by fraud. *The penalties against election fraud contained in Prop. 52 are useless, because the measure makes it impossible to ever prove the crime!*

District Attorneys, Sheriffs, Cops and Elections Officials OPPOSE Prop. 52. So do Republicans, Democrats, Labor and Taxpayer Groups.

Working Californians OPPOSE Prop. 52. Our right to have our vote counted in fair elections will no longer exist in California if this measure passes.

Forty-four other states wisely do not allow Election Day registration.

*The six small states with laws similar to Prop. 52 are not like California.* Our state is too big, and the potential for abuse too high, to enact a law that makes it easier to commit fraud.

In a typical election, almost half of legally registered voters choose not to vote. Making it easier for FELONS, NON-CITIZENS AND OTHERS NOT QUALIFIED TO VOTE TO COMMIT FRAUD, will not solve the problem of low turn out.

In the wake of the controversy and chaos surrounding the 2000 Election in Florida, other states are looking to improve election laws and crack down on vote fraud. *California must not go in the other direction by opening the door to fraud and election abuse.*

- PRESERVE THE INTEGRITY of our election system
- PROTECT YOUR RIGHT TO VOTE in fair elections
- STOP ELECTION FRAUD
- Vote NO on PROP. 52!

HONORABLE JAN SCULLY

*District Attorney of Sacramento County*

HONORABLE MIKE CARONA

*Sheriff of Orange County*

SHARON RUNNER, Co-Chair

*Citizens & Law Enforcement Against Election Fraud*

## REBUTTAL TO ARGUMENT AGAINST PROPOSITION 52

After the 2000 Presidential election people understood—"One vote can make a difference." Politics aside, one thing is clear—we need to protect our right to vote and ensure everyone who is eligible to vote—CAN VOTE!

That's what Election Day Voter Registration does.

*States with election day registration lead the nation in turnout.*

A Cal-Tech/MIT election study found, "California will experience an even larger increase in turnout...as much as one million new voters."

*A bipartisan group of elections experts wrote this law with protections making the process fair and convenient; with stiff penalties for politicians who try to steal elections.*

Prop 52 requires training for poll workers, requires allegations of fraud be reported to prosecutors and doubles the fines for fraud.

Misleading claims that Prop 52 will cause rampant fraud and allow unscrupulous individuals to cast several ballots just don't ring true.

Opponents neglect to remind you that currently, you don't have to show ID when registering to vote or voting.

*Prop 52 adds new, strict identification requirements for election day registration: a photo ID, or two forms of legally valid ID showing that the voter is voting in the correct precinct.*

Politicians and bureaucrats claim that any reform will crash the system—the same arguments made about Motor Voter, Absentee Voting, and Campaign Finance Reform. But they all work.

We can complain about California's low voter turnout or we can pass Prop 52—reform that will make a difference.

Vote YES on Prop 52.

BARBARA INATSUGU, President

*League of Women Voters of California*

ROCKY DELGADILLO

*Los Angeles City Attorney*